RESOLUTION AGREEMENT
Alpine School District
OCR Case Number 08-21-1088

The United States Department of Education (Department), Office for Civil Rights (OCR) received a complaint against the Alpine School District (District) alleging that the District retaliated against the Complainant, a former employee, for opposing race discrimination. Specifically, the Complainant alleges that he was precluded from coaching [redacted content] and any other sports at [redacted content] during the Spring of 2021 and prohibited from refereeing little league games at [redacted content] in the Fall of 2020 because of his advocacy on behalf of athletes of color on the [redacted content] team, participation in investigations of complaints of race discrimination regarding the [redacted content] program, and filing of an individual complaint of racial harassment against a white [redacted content] coach.

OCR investigated the allegations and found that the District retaliated against the Complainant for engaging in protected activity in violation of Title VI and its implementing regulations. The District enters into this Agreement to remedy the violations found by OCR in its investigation of the above-referenced complaint. The District assures OCR that it will take the following actions to ensure that it complies with the requirements of Title VI and its implementing regulations.

A. Individual Remedies

1. The District will notify the Complainant in writing to the email address and mailing address provided by OCR that the hiring ban at [redacted content] that was in place in the Spring of 2021 no longer exists and offer the Complainant in writing the opportunity to apply for any coaching positions at [redacted content] of interest.

   REPORTING REQUIREMENT 1: **Within 30 calendar days of signing this Agreement,** the District will provide OCR with a copy of the written communication that it sent to the Complainant and any responses received thereto.

2. The District will instruct in writing all boys [redacted content] and [redacted content] coaches and administrators that worked at [redacted content] during the 2020-21 school year (SY) and are still employed by the District to: a) direct any employment inquiries concerning the Complainant to Human Resources; and b) not to make any oral or written statements that criticize, disparage, and/or degrade the reputation of the Complainant. If contacted, Human Resources will provide a neutral reference regarding the Complainant's employment with the District, including the Complainant's positions, dates of employment, and pay.

   REPORTING REQUIREMENT 2: **Within 30 calendar days of signing this Agreement,** the written communication it sent to coaches and administrators pursuant to Term 2 with a list of the recipients. The District will also provide OCR with a list of coaches and administrators that worked at [redacted content] during the 2020-21 SY but were not sent the communication because they are no longer employed by the District.

B. **Systemic Remedies**

3. The District will consider taking appropriate personnel action, as required by Section 5.4 of District Policy No. 7100 and the District's personnel policies, against any employees who were found by OCR to have retaliated against the Complainant and are still employed by District.

   REPORTING REQUIREMENT 3: **Within 60 calendar days of signing this Agreement,** the District will identify any personnel actions taken in accordance with Term 3 and provide OCR with documentation reflecting the action(s) taken. If the District takes no personnel action, it will provide OCR with an explanation of the reason(s) and identify any actions that the District considered and provide the reasons why those actions were rejected.

4. The District will submit for OCR's review and approval draft revised policies and procedures prohibiting retaliation. The revised policies must include the following:

   a. a definition of retaliation that is consistent with Title VI and its implementing regulations;

   b. a prohibition on retaliation that is consistent with Title VI and its implementing regulations;

   c. procedures for notifying parties to a complaint of discrimination of the District's prohibition on retaliation; and

   d. procedures for investigating complaints of retaliation.

   REPORTING REQUIREMENT 4: **Within 60 calendar days of signing this Agreement,** the District will submit the revised policies and procedures prohibiting retaliation to OCR for review and approval.

5. The District will adopt, implement, and disseminate to all District staff and administrators the revised policies and procedures prohibiting retaliation though its standard methods for disseminating new policies and procedures.

   REPORTING REQUIREMENT 5: **Within 30 calendar days of OCR's approval of its revised policies and procedures prohibiting retaliation**, the District shall submit to OCR a copy of the policies and procedures that were adopted and disseminated to all District staff and administrators, an explanation of the manner in which the revised policies and procedures were disseminated, and the date they were adopted and disseminated.

6. The District will submit for OCR's review and approval training materials regarding the prohibition against retaliation in Title VI and its implementing regulations and the District's policies. The training must include, at a minimum, who is protected from retaliation, what constitutes protected activity, examples of adverse action, the potential

employment consequences of retaliation, and the District's policies and procedures for making and investigating complaints of retaliation.

REPORTING REQUIREMENT 6: **Within 30 calendar days of OCR's approval of its revised policies and procedures prohibiting retaliation,** the District will submit draft training materials regarding retaliation to OCR for review and approval.

7. The District will provide the approved training on retaliation to all boys [redacted content], [redacted content], and [redacted content] coaches, including paid and volunteer coaches, and administrators that worked at [redacted content] during the 2020-21 school year and are still employed by the District.

REPORTING REQUIREMENT 7: **Within 60 calendar days of OCR's approval of the District's training materials,** the District will provide OCR with: 1) the name and qualifications of the person who provided the training; (2) the names and job titles of persons attending the training; (3) the date and agenda for the training; (4) a copy of any materials distributed in connection with the training; and (5) a list of all individuals who were required to attend the training but did not attend with the reason(s) why those individuals missed the training and a plan for providing the training to those individuals.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this Agreement. Further, the District understands that during the monitoring of this Agreement, if necessary, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Title VI, which were at issue in this case.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with Title VI and its implementing regulations, which were at issue in this case.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR shall give the District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

For the Alpine School District:

/s/	9/3/24
Superintendent	Date